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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,872	02/08/2001	Shusou Wadaka	2565-0225P	9099
2292	7590	08/10/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			BUDD, MARK OSBORNE	
			ART UNIT	PAPER NUMBER
			2834	

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20050628

DATE MAILED:

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Commissioner for Patents

IN RESPONSE TO THE SUPPLEMENTAL REPLY BRIEF FILED PLEASE FIND ATTACHED HERETO A CORRECTED COPY OF THE SUPPLEMENTAL EXAMINERS ANSWER WHICH INCLUDES CLAIMS 61 AND 62 WITH THE REJECTION OF CLAIMS 35-39. THE EXAMINER APOLOGIZES FOR THE OVERSITE.


Mark Budd
Primary Examiner
Art Unit: 2834

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CORRECTED
Supplemental Examiner's Answer

In response to the remand by the Board of Patent Appeals and Interferences, The Board was correct in pointing out that the examiners Answer inadvertently omitted a specific recitation of the grounds of rejection of claims 35-39, 61 and 62. As stated in the Office actions of 5-29-02 and 10-9-02:

61 and 62
Claims 35-39, are rejected under 35 USC 103(a) as being unpatentable over Krishnaswamy, Japan (804), Vale or Curran.

Each reference teaches the claimed structure for the specific materials. However, selection from among know suitable materials has long been held to be within the skill expected of the routineer. Each of the specific claimed materials is already well known as a substrate, piezoelectric transducer or electrode material (official Notice taken). Thus selection of any of these materials would have been obvious to one of ordinary skill in the art.

Attached hereto are initiated copies of the 1449 forms submitted by applicant on 2-8-01 and 7-2-01.

This application should now be in proper condition for return to the Board of Appeals for consideration of the issues on appeal respectfully submitted.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark O. Budd whose telephone number is (571)272-2019. The examiner can normally be reached on Monday-Thursday from 6am to 4pm.

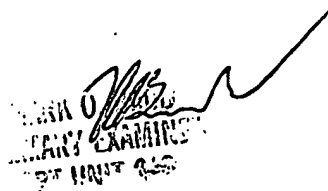
Art Unit: 2834

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor R. Ramirez, can be reached on ***. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Budd/ds

12/22/04

A handwritten signature in black ink is written over a rectangular official stamp. The stamp contains the text "EXAMINER" and "PATENT" in a bold, sans-serif font. The signature is a cursive-style name, possibly "Budd", followed by a long horizontal stroke.